THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17123 of 2006

Dated: 25-08-2006

Between:

Deeti Vidya Sagar.

..... PETITIONER

AND

The Joint Collector, Nizamabad, and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17123 of 2006

ORDER:

The petitioner filed a revision petition under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, before the first respondent, the Joint Collector, Nizamabad, against the order dated 05-05-1995 passed by the Mandal Revenue Officer, Nizamabad, and the same was dismissed on 21-06-2006 on the ground that though the counsel for the revision petitioner was present, he did not argue the case.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General).

A perusal of the impugned order would show that the revision petitioner was represented by one Sri G.V. Krupaker Reddy, Advocate, and when the case was called by the first respondent, his junior Advocate

Sri Ganesh represented that the senior Advocate was otherwise busy. Therefore, the matter was dismissed without hearing the same on merits. As there are serious questions of entitlement of the petitioner for the land admeasuring Ac.2.05 guntas situated at Nizamabad, this Court is of the considered opinion that the Joint Collector should dispose of the matter on merits. The impugned order is, therefore, set aside. The petitioner may approach the Joint Collector with a copy of this order along with his counsel on 08-09-2006. On that day, without adjourning the matter, the Joint Collector may pass appropriate orders on merits. It shall also be open to the Joint Collector to pass orders based on record, if the counsel for the petitioner fails to appear, on any day fixed for hearing.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

_____

V.V.S.RAO, J

25th August, 2006

Note: Dispatch the copy by 28-08-2006.

B/o

ghn